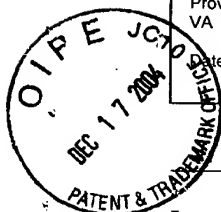


12-20-04

2112 IN
12/22/04



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 456 047 733 US, in an envelope addressed to: MS Provisional Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: December 17, 2004 Signature: *Richard Zimmermann*
Richard Zimmermann

Docket No.: 06005/35525
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Daniel D. Christensen et al.

Application No.: 09/345,809

Filed: July 2, 1999

For: AN AUTOMATICALLY DOWNLOADED
LINK ACTIVE SCHEDULE

Confirmation No.: 1692

Art Unit: 2112

Examiner: Christopher E. Lee

RESPONSE TO COMMUNICATION RE: APPEAL
DATED DECEMBER 13, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the "Communication Re: Appeal," mailed December 13, 2004, Applicants enclose herewith the statutory fee under 37 C.F.R. 1.17(c) for filing the Appeal Brief. Applicants note that the Appeal Brief was timely submitted with a proper extension of time and the required extension of time fee and that, furthermore, the Office was authorized to deduct from the Deposit Account of the undersigned attorney any fees required under 37 C.F.R. 1.17 during the pendency of this application. It is noted that such an authorization, which was provided in the original filing paper (a copy of which is enclosed herewith), includes fees due under 37 C.F.R. 1.17(c). Thus, Applicants contend that the Office should have deducted the required Appeal Brief fee from the Deposit Account of the undersigned attorney upon receipt of the Appeal Brief. As such, Applicants submit that no further extension of time is required in this case and that the Appeal Brief fee that should be paid in this case is the Appeal Brief fee as it stood on the date of the filing of the Appeal Brief, i.e. November 18, 2004, (which is \$340.00). While the Office should have charged the required fee to the Deposit Account of the Applicants' attorneys on November 18, 2004, a check in the amount of \$340.00 is now included herewith to cover this fee. However, if the Office determines that any additional fee is required for submission of the Appeal Brief or if any

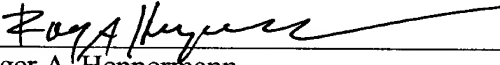
12/22/2004 CHNGUYEN 00000049 132855 09345809 340.00 OP
01 FC:1401 160.00 DA

further extension of time is needed, the Commissioner is hereby authorized to consider this paper as a request for such an extension of time and as an authorization to charge any required fee or additional fee to Deposit Account No. 13-2855 from which the undersigned attorney is authorized to draw. A copy of this paper is enclosed herewith.

Applicants submit that, with the payment of this fee, the requirements for the filing and consideration of the Appeal Brief have been met. Applicants respectfully request consideration of the Appeal Brief and withdrawal of the rejections based on the reasoning provided within the Appeal Brief. However, if the Office determines that it would be helpful to discuss any matter with the Applicants to move this case towards allowance, the Office is hereby requested to contact the undersigned attorney by telephone at the earliest possible time.

Dated: December 17, 2004

Respectfully submitted,

By 
Roger A. Heppermann
Registration No.: 37,641
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicants



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 06005/35525

PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53

Box Patent Application

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Daniel D. Christensen, Kenneth D. Krivoshein, and Larry O. Jundt

Title: AN AUTOMATICALLY DOWNLOADED LINK ACTIVE SCHEDULE

1. Type of Application

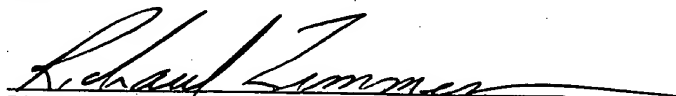
- ☒ This is a new application for a
- ☒ utility patent.
- ☐ design patent.

2. Application Papers Enclosed

- 1 Title Page
- 20 Pages of Specification (excluding Claims, Abstract, Drawings & Sequence Listing)
- 5 Page(s) of Claims
- 1 Page(s) of Abstract
- 4 Sheet(s) of Drawings (Figs. 1 to 5)
- ☒ Formal
- ☐ Informal

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **July 2, 1999**, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EJ351907367US.


Richard Zimmermann

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3. Declaration or Oath

- ☒ **Enclosed**
 - ☒ **Executed by (check all applicable boxes)**
 - ☒ **Inventor(s)**
 - ☐ **Legal representative of inventor(s)**
(37 CFR 1.42 or 1.43)
 - ☐ **Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached**
 - ☐ **The petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 are enclosed. See Item 5D below for fee.**
 - ☐ **Not enclosed - the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.**

4. Additional Papers Enclosed

- ☐ **Preliminary Amendment**
- ☐ **Information Disclosure Statement**
- ☐ **Declaration of Biological Deposit**
- ☐ **Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence**
- ☐ **Microfiche computer program**
- ☐ **Verified statement(s) claiming small entity status under 37 CFR 1.9 and 1.27**
- ☐ **Associate Power of Attorney**
- ☐ **Verified translation of a non-English patent application**
- ☐ **An assignment of the invention**
- ☒ **Return receipt postcard**
- ☐ **Other**

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5. **Priority Applications Under 35 USC 119**

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

☐ are attached.

☐ will follow.

COUNTRY	APPLICATION NO.	FILED

6. **Filing Fee Calculation (37 CFR 1.16)**

A. ☒ **Utility Application**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$380.00		\$760.00
TOTAL	26 -20	= 6	X 9 =	\$	X 18 =	\$108.00
INDEP.	4 - 3	= 1	X 39 =	\$	X 78 =	\$ 78.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 130 =	\$	+ 260 =	-0-
Filing Fee:				\$	OR	\$946.00

B. ☐ **Design Application (\$155.00/\$310.00)** Filing Fee: \$ _____

C. ☐ **Plant Application (\$240.00/\$480.00)** Filing Fee: \$ _____

D. **Other Fees**

☒ **Recording Assignment [Fee -- \$40.00 per assignment]** \$ _____

☐ **Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee -- \$130.00]** \$ _____

☐ **Other** \$ _____

Total Fees Enclosed \$946.00

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7. **Method of Payment of Fees**

- ☒ Enclosed check in the amount of: \$946.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$ _____
A copy of this Transmittal is enclosed.
- ☐ Not enclosed

8. **Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application, under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

Please direct all future communications to Roger A. Heppermann, at the address below.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300
(312) 474-0448 (Telefacsimile)

By: 

Roger A. Heppermann
Reg. No: 37,641

July 2, 1999

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